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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,442	02/04/2002	Todd M. Lynton	**BA-0333	7358

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EXAMINER	
FISHER, MICHAEL J	

ART UNIT	PAPER NUMBER
3629	

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01/10/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/067,442	LYNTON, TODD M.	
	Examiner	Art Unit	
	Michael J. Fisher	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 October 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8,10,12-19,21,23-28,30-38,42-49,51,53-58 and 60-72* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8,10,12-19,21,23-28,30-38,42-49,51,53-58 and 60-72* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-8,10,12-19,21,23-28,30-38,42-49,51,53-58 and 60-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over US PAT 6,832,526 to Howard et al. (Howard).

As to claims 1,14,25,31,44, Howard discloses a computer method for registering a device (title), the device transmitting a registration request message (col 4, lines 22-23), to a registration server (24) in response to input provided by a user of the device (attaching the device to the system and turning it on), registering the device (abstract, lines 1-4). Howard further teaches registering the device using only the identification of the machine and not the owner (fig 3 and col 4, lines 15-23) Howard does not, however,

teach registering the device with the manufacturer. Howard does, however, teach verifying the warranty (col 7, lines 36-40). As its status is checked, it would have been obvious to one of ordinary skill in the art to provide a mechanism for registering the warranty in case it has not been registered yet.

As to claim 61, Howard does not specify that the registering be done at the registration server. It would have been obvious to use a registration server so as to have one server doing the registering to avoid confusion.

As to claims 2,3,26,27,32,33,56,57,62,63, Howard does not, however, teach the device being registered in response to only one action by the user, that action being pressing a button. So called Plug-n-Play devices are very well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art to make the device a Plug-n-Play device, and inherently require only the single action of pressing the 'on' button, as these devices are readily available and this would automate installation and make it easier.

As to claims 4,15,35,45,64, Howard discloses obtaining an identifier of the device (fig 3), registering the device based on the identifier (col 4, lines 62-67).

As to claims 5,16,46,65, the request message includes the identifier of the device (fig 3), the identifier is obtained from the request message (col 4, lines 22-23).

As to claims 6,17,47,66, Howard discloses transmitting the assigned identifier to the device (the driver 26 and configuration settings component 27).

As to claims 7,18,37,48,67, Howard discloses determining if the device is registered and registering it only if it has not already been registered (515).

As to claims 8,19,38,49,58,68, the message is inherently a request that the device be registered (installed).

As to claims 10,21,51,69 the registry records the identifier (col 7, line 63- col 8, line 4).

As to claims 12,23,42,53,55, Howard discloses transmitting a registration confirmation message (105).

As to claims 13,24,30,43,54,60, the device is a printer (fig 7B).

As to claim 28, the message would inherently request initiation of registering the device (installing the device is registering it).

As to claim 36, the request message includes the identifier of the device (fig 3), the identifier is obtained from the request message (col 4, lines 22-23), the device would inherently record the identifier.

As to claim 70, Howard discloses creating an account associated with the identifier (fig 4A).

As to claim 41, the account would be that the device is installed and registered and would inherently be associated with the identifier as it is associated with the device identified by the identifier.

As to claim 72, the service is printing, this would inherently include a printer.

Response to Arguments

Applicant's arguments filed 10/05/07 have been fully considered but they are not persuasive. As to arguments in relation to not including personal information of the user,

the examiner has pointed out exactly where this is located in the prior art, as applicant has not argued against what the examiner wrote, merely denying that it is in the prior art, the rejection stands.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Fisher whose telephone number is 571-272-6804. The examiner can normally be reached on Mon.-Fri. 7:30am-5:00pm alt Fri. off.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MF
1/6/08

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